

REMARKS/ARGUMENTS

Claims 41-61 are pending in the present application. Claims 41 and 50 have been amended and claims 48 and 59 have been canceled. The amendments add no new matter. Reconsideration of the present application is respectfully requested in light of the following remarks.

Claims 41 and 50 were rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of claims 11 and 30 of U.S. Patent 6,701,170 to Stetson. Claims 41-61 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being obvious over claims 1-7, 13-14, 20-25 and 32-36 of the '170 patent to Stetson in view of U.S. Patent No. 5,909,646 to Deville.

In order to further the prosecution of the application, Applicant has canceled claims 48 and 59 and has amended independent claims 41 and 50 without acquiescence and prejudice, as set forth above.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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Amdt. dated March 14, 2005
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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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